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E-FILED - 4/20/09

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,)	No. CR 09-00256-RMW
)	
12 Plaintiff,)	STIPULATION TO CONTINUE
13 v.)	HEARING; [] ORDER
)	
14 JOSE LUIS CRUZ-MORA,)	
)	
15 Defendant.)	
_____)	

16 Defendant, Jose Luis Cruz-Mora by and through his attorney Nicholas P. Humy, and the
17 United States, by and through Assistant United States Attorney Chad Mandell, hereby stipulate
18 and agree to request that the Court continue the status conference currently set for Monday, April
19 13, 2009, in the above captioned matter to Monday, April 20, 2009 at 9:00 a.m. The
20 continuance is necessary due to the unavailability of counsel for Mr. Cruz-Mora.

21 The parties further agree and stipulate that time should be excluded from and including
22 April 13, 2009 through and including April 20, 2009, for continuity of defense counsel, pursuant
23 to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv). Accordingly, the United States and

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26 STIPULATION TO CONTINUE HEARING;
[] ORDER
CR 09-00256-RMW

1 the defendant agree that granting the requested exclusion of time will serve the interest of justice
2 and outweigh the interest of the public and defendant in a speedy trial.

3
4 Dated: 4/10/09

/s/
NICHOLAS P. HUMY
Assistant Federal Public Defender

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6 Dated: 4/10/09

/s/
CHAD MANDELL
Assistant United States Attorney

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10 **ORDER**

11 The parties have requested a continuance of the status conference set for Monday, April
12 13, 2009 due to the unavailability of defense counsel.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
14 presently set for Monday, April 13, 2009 be continued to Monday, April 20, 2009 at 9:00 a.m.

15 IT IS FURTHER ORDERED, that the time between April 13, 2009 through
16 April 20, 2009, shall be excluded for continuity of defense counsel, pursuant to Speedy Trial
17 Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv).

18 IT IS SO ORDERED.

19
20 Dated: 4/20/09



RONALD M. WHYTE
United States District Judge